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**BEFORE THE
BOARD OF PODIATRIC MEDICINE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Petition to Penalty)
Relief of:)
PARVIZ SERVATJOO, D.P.M.)
5901 W, Olympic Boulevard)
Los Angeles, CA 90036)
Podiatric Medical License No. E-3494)

Respondent.)**

File No: 1B-1996-61489

OAH No: N-2003140401


DECISION AND ORDER

The attached Proposed Decision of the Administrative Law Judge is hereby accepted and adopted by the Board of Podiatric Medicine of the Department of Consumer Affairs, State of California as its Decision in the above-entitled matter.

This Decision shall become effective at 5:00 p.m. on April 15, 2004

IT IS SO ORDERED March 16, 2004

BOARD OF PODIATRIC MEDICINE



**Raymond Cheng, AIA
Vice President**

BEFORE THE
BOARD OF PODIATRIC MEDICINE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition to Penalty Relief
of:

PARVIS SERVATJOO, D.P.M.

OAH No. N2003120401

Podiatric Medical License No. E-3494,

Petitioner.

PROPOSED DECISION

This matter came on regularly for hearing before Jaime René Román, Administrative Law Judge, Office of Administrative Hearings, in Sacramento, California, on January 21, 2004.

Petitioner Parvis Servatjoo, D.P.M. ("petitioner"), appeared and was represented by Tisdale & Nicholson, LLP, Attorneys at Law, by Gina M. Hattenbach, Esq.

The Attorney General of the State of California was represented by Mara Faust, Deputy Attorney General, Health Quality Enforcement Section, Department of Justice.

Evidence was received and the matter submitted on January 21, 2004.

FACTUAL FINDINGS

1. On December 28, 1987, the Board of Podiatric Medicine ("Board") issued Doctor of Podiatric Medicine License No. E-3494 to petitioner. On December 17, 2001, the Board issued its Decision in *In the Matter of the Accusation Against: Parviz Servatjoo, D.P.M.*, Case No. 1B-1096-61489, suspending petitioner's license, staying the suspension, and placing petitioner on probation for a period of three years, commencing January 17, 2002.

2. On August 22, 2003, petitioner filed a Petition for Penalty Relief praying for modification and/or termination of probation.

3. The discipline imposed on petitioner's license occurred as a result of several violations of the Medical Practice Act:

- A. Unprofessional conduct in violation of Business and Professions Code §2234.
- B. Gross negligence in violation of Business and Professions Code §2234(b).
- C. Repeated acts of negligence in violation of Business and Professions Code §2234(c).
- D. Incompetence in violation of Business and Professions Code §2234(d).
- E. Failure to maintain records in violation of Business and Professions Code §2266.

4. Petitioner's probation included, inter alia, P.A.C.E. program participation and monitoring. Petitioner, to his credit and consistent with his licensure obligations, has successfully met each term and condition of his probation.

5. Petitioner's discipline involved multiple patients, in 1994 – 1995, wherein he largely failed to properly document, elicit or document informed consent, order appropriate lab or X-rays, and monitor surgical patients.

6. Petitioner readily acknowledges both his prior discipline and his errant acts. Since the imposition of the Board's discipline, petitioner has continued with his medical professional responsibilities and, with implemented modifications to his clinical practice for the care and treatment of his patients, has practiced safely.

7. Petitioner appeared, in this proceeding, remarkably and laudably affected by the Board's discipline. Possessing the support of colleagues, he presented himself with particular insight, reserved, and highly candid and cooperative. Petitioner has clearly derived substantial benefit and circumspection from the Board's discipline.

8. Having obtained the optimum benefits of the Board's three-year probationary order, petitioner seeks an early termination of probation to expand his practice possibilities and obtain Board affirmation of his rehabilitative progress from conduct occurring nearly a decade ago, and discipline effected, albeit, two years ago.

LEGAL CONCLUSION

Cause exists to grant the petition to terminate probation pursuant to Business and Professions Code §§2307 and 2460.1, and as set forth in Findings 1 – 8.¹

ORDER

The Petition for Penalty Relief of Parviz Servatjoo, D.P.M., Podiatric Medical License No. E-3494, for early termination of probation is granted.

Dated: _____

2/9/24



JAIME RENÉ ROMÁN
Administrative Law Judge
Office of Administrative Hearings

¹ The petition's prayer for modification of probation is rendered moot.